

### **REMARKS/ARGUMENTS**

Claims 1-21 were pending in the application. Claims 22-36 have been added. Claims 1-21 have been canceled. Therefore, claims 22-36 are present for examination, and claims 22, 27, and 32 are the independent claims. No new matter is added by these amendments. Applicant respectfully requests reconsideration of this application as amended.

The Final Office Action ("Office Action") had rejected claims 1-2, 4-5, 7-8, 10-11, 14-15 and 17-18 under 35 U.S.C. §102(e) as being anticipated by the cited portions of Guha et al., U.S. Patent 7,035,972 ("Guha"). The Office Action had also rejected claims 3, 6, 9, 12, 13, 16, 19 and 20-21 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of Guha. The rejection of those claims is moot in view of the cancellation of those claims.

#### **Comments in regard to Guha**

While the Office Action contended that Guha disclosed a disk device that is turned on/off in accordance with an instruction from a user, a host system, or a computer, Applicant respectfully traverses such an assertion. That is, Guha is believed to merely disclose that data disks which are not currently being accessed can be powered down (Guha at col. 5, lines 66-67) and that the individual disk devices are powered on only when needed (col. 7, lines 58-59), for example. However, Guha does not clearly disclose a subject which issues instructions to turn on/off the disk device nor such a turning on/off timing. Accordingly, Applicant notes that the new claims as presented are patentable over Guha.

### **CONCLUSION**

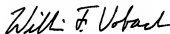
In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Appl. No. 10/777,832  
Amdt. dated July 16, 2007  
Amendment under 37 CFR 1.111

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



William F. Vobach  
Reg. No. 39,411

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300

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